WRITTEN DECISION
OF THE INTERNATIONAL
EXAMINATION AUTHORITY (SUPPLEMENTARY SHEET)

10/583687
International file reference

PCT/EP2004/053226

IAP20 Rec'd PCT/PTO 19 JUN 2006

Re. Point V

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statements

Reference is made to the following documents:

D1: US 2002/165783 A1 (GONTHIER JEAN-CHARLES ET AL) 7 November 2002 (2002-11-07)

D2: EP-A-1 361 550 (SIEMENS AG) 12 November 2003 (2003-11-12)

D3: EP-A-1 349 359 (SIEMENS AG) 1 October 2003 (2003-10-01)

D4: DE 100 25 565 A (SIEMENS AG) 6 September 2001 (2001-09-06)

1. Independent claim 1.

Document D1 (cf. especially paragraphs 0019 - 0078) discloses, in accordance with most of the features of claim 1, a proxy device which receives a service request from a client (paras. 0032 - 0037), subsequently performs an authentication for this request and, after a successful authentication, notifies the client of a reference to an application server for executing the requested service (paras. 0024 - 0027; 0038 - 0044), receives tickets created by the application server, with the tickets containing information in respect of the charges arising before or during use of the service (paras. 0056 - 0063), performs a charge registration action for the ticket (0020 - 0022; 0075 - 0076).

It is evident to the person skilled in the art that the known proxy device suffers from a disadvantage that, before it can execute a charge registration action in relation to a service used by client, it does not ask the client if he is actually using the service.

The known proxy device thus has the problem that it does not provide a reliable charging function for the clients.

The concept of an arrangement and a method for acknowledging a payment process in respect of a service used is already known from the cited documents D3 (cf. especially paragraphs 0027 - 0033) or D4 (cf. especially column 3, line 35 to column 4, line 10). In the cited document D3 for example a billing computer sends an information message to a telecommunication terminal. The information message contains information about charges arising. The communication terminal acknowledges through an acknowledgement message that it is in agreement with the charging (paras. 0029 - 0033). The billing computer then executes a billing registration action (para. 0028). The arrangement disclosed in the cited document D3 resolves the problem of the reliability of the billing function.

Using the generally known proxy device disclosed in D1 as the starting point and with knowledge of D3, it would therefore be obvious to the person skilled in the art to transfer the teaching from D3 to the proxy device from D1 with the corresponding effect, and thus to arrive at a reliable proxy device in accordance with the object of claim 1.

Thus no inventive step can be detected from the object of claim 1 (Article 33 (3) PCT).

2. Independent claim 5.

Document D1 (cf. especially paras. 0019 - 0078) discloses, in accordance with most of the features of claim 5, an application server which receives a service request from a client, with the service request containing a reference to a proxy device (paras. 0051 - 0055), creates billing tickets in respect of the service and sends these to the proxy device if it accepts the service request, with the tickets containing information in respect of the charges falling due for the client before or during the execution of the service,

maintains the execution of the service (paras. 0020; 0056 - 0073).

The differences between the application server according to claim 5 and the known application server are that the application server receives from the proxy device messages about whether the tickets are acknowledged by the client and that the application server maintains the execution of the service for as long as the tickets are positively acknowledged by the client.

These differentiating features are however known from the cited document D3 (cf. especially paras 0027 - 0033), in which a connecting node receives messages from a billing computer asking whether a communication terminal is in agreement with the charges arising for a communications link (paras. 0029 - 0030). The connecting node maintains the communication connection for as long as the communication terminal is sending a positive acknowledgement message to the billing computer (paras. 0031 - 0033).

The object of claim 1 thus merely contains a combination of known or obvious measures each used in the way in which they normally operate. No inventive interaction in the form of this type of mutually effective support so that a new technical effect could be achieved occurs in this case over and above the total effect to be expected.

Thus no inventive step can be detected in the object of claim 5 (Article 33 (3) PCT).

3. Independent claim 10.

Document D2 (cf. especially paras 0015 - 0031; claim 5) discloses, in accordance with most of the features that claim 10, a client which makes a service request to a proxy device

(paras. 0015 - 0016), after a successful authentication of the service request by the proxy device, receives a reference to the requested service (paras. 0016; 0020), on the basis of said reference sets up a service relationship to an application server of the requested service (paras. 0020 - 0022).

The only differences between the client in accordance with claim 10 and the known client which cannot be taken explicitly from D2 are that, in accordance with claim 10, the client receives from a proxy device acknowledgement requests relating to the charges to fall due for the service and verifies and answers these acknowledgement requests from the proxy device.

These differentiating features are however known from the cited document D4 (cf. especially column 3, line 35 to column 4, line 10), in which a terminal receives a billing information message from a billing data processing unit in respect of charges falling due for a service and verifies and answers this message.

The object of claim 10 thus merely contains a combination of known or obvious measures each used in the way in which they normally operate. No inventive interaction in the form of this type of mutually effective support so that a new technical effect could be achieved occurs in this case over and above the total effect to be expected.

Thus no inventive step can be detected in the object of claim 10 (Article 33 (3) PCT).

4. Independent claim 13.

Document D1 (cf. especially paras. 0019 - 0078) discloses, in accordance with most of the features of claim 13, a method for charging for a service in a communication network, in

accordance with which a service request is made by a client to a proxy device (paras. 0032 - 0037), then with the aid of the proxy device an authentication is undertaken (paras. 0024 - 0027), in which case the client is notified by the proxy device after a successful authentication of a service reference to the requested service (paras. 0038 - 0044), the application server is notified by the client of a reference to the proxy device (paras 0051 - 0055), tickets are created by the application server and sent to the proxy device, with the tickets containing information in respect of the charges falling due before or during the use of the service (paras. 0056 - 0063)

. It is evident to the person skilled in the art that the known method suffers from the disadvantage that, before a charge registration action in relation to a service used by client can be executed; the client is not asked if he is actually using the service

. The known method thus has the problem of not providing a reliable billing function for the clients.

The concept of a method for acknowledging a payment process in respect of a service used is already known from the cited documents D3 (cf. especially paras. 0027 - 0033) or D4 (cf. especially column 3, line 35 to column4, line 10). E.g. in the cited document D3 a billing computer sends an information message to a communication terminal. The information message contains information about charges arising. The communication terminal acknowledges with an acknowledgement message that it is in agreement with the billing (paras. 0029 - 0033). The billing computer then performs a charge registration action (para. 0028). The problem of the reliability of the billing function is resolved by the method disclosed in the cited document D3.

Using the generally known method and method defined in D1 as starting points, and with knowledge of D3, it would be obvious to the person skilled in the art to transfer the teaching of D3 to the method from D1 with the appropriate effect and thus to arrive at a method for charging for a service in accordance with the object of claim 13.

Thus no inventive step can be detected in the object of claim 13 (Article 33 (3) PCT).

5. Dependent claims 2 - 4, 6 - 9, 11, 12 and 14.

The features specified in the dependent claims 2 - 4, 6 - 9, 11, 12 and 14 also do not add anything inventive to the object of claims 5, 10 or 13.

The dependent claims 2 - 4, 6 - 9, 11, 12 and 14 contain only simple method or construction measures which are generally familiar to a person skilled in the art. These features can either be derived from the above-mentioned prior art (D3, paras. 0028, 0032 and 0033 for claims 2 - 4, 6, 9, 12, 14; D2, para. 0031, claim 5 for claim 11) or do not represent standard measures going beyond normal specialist knowledge.

The dependent claims 2 - 4, 6 - 9, 11, 12 and 14 are thus not inventive (Article 33 (3) PCT).